

United States Bankruptcy Court
Middle District of Pennsylvania

In re:
Brian E. Smeltz
Debtor

Case No. 17-02472-RNO
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0314-1

User: KADavis
Form ID: pdf010

Page 1 of 1
Total Noticed: 2

Date Rcvd: Nov 20, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 22, 2018.

5030540 +DAUPHIN COUNTY TAX CLAIM BUREAU, 2 S 2ND STREET #1, HARRISBURG, PA 17101-2047
Dauphin County Tax Claim Bureau, P. O. Box 1295, Harrisburg, PA 17108-1295

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 22, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 20, 2018 at the address(es) listed below:

Charles J DeHart, III (Trustee) dehartstaff@pamd13trustee.com, TWecf@pamd13trustee.com
Heather Stacey Riloff on behalf of Creditor Seterus, Inc., as the authorized servicer for
Federal National Mortgage Association ("Fannie Mae") heather@mvrlaw.com, Michelle@mvrlaw.com
James Warmbrodt on behalf of Creditor Wilmington Savings Fund Society, FSB, DBA Christiana
Trust, not in its individual capacity, but solely in its capacity as Owner Trustee for WF 19
Grantor Trust bkgroup@kmlawgroup.com
James Warmbrodt on behalf of Creditor Wilmington Savings Fund Society Et Al...
bkgroup@kmlawgroup.com
Jim Peavler on behalf of Creditor PA Dept of Revenue RA-occbankruptcy@state.pa.us,
RA-occbankruptcy6@state.pa.us
John Matthew Hyams on behalf of Debtor 1 Brian E. Smeltz jmh@johnhyamslaw.com,
acb@johnhyamslaw.com, eah@johnhyamslaw.com
United States Trustee ustpreion03.ha.ecf@usdoj.gov

TOTAL: 7

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:	:	CHAPTER 13
	:	
	:	
Brian E. Smeltz	:	
	:	CASE NO: 1:17-bk-02472-RNO
	:	
Debtor	:	
	:	
	:	
Brian E. Smeltz	:	
	:	
Movant	:	
	:	11 U.S.C. §363
	:	
Dauphin County Tax Claim Bureau,	:	
and Charles J. Dehart, III, Esquire	:	
	:	
Respondents	:	

ORDER APPROVING SALE OF REAL PROPERTY
FREE AND CLEAR OF LIENS, CLAIMS AND ENCUMBRANCES
AND APPROVING DISTRIBUTION OF PROCEEDS

The Motion of the Debtor, Brian E. Smeltz, to Approve the Sale of Real Property Free and Clear of Liens, Claims and Encumbrances and Approving Distribution of Proceeds ("Motion") having come this day before the Court, and following notice to creditors in the above case and an opportunity for a hearing thereon, and the Court believing that the sale of the Property (as defined below) is in the best interests of the Debtor and his estate, and that such sale is made in good faith, and that the consideration offered is fair and reasonable, it is

HEREBY ORDERED that:

1. Brian E. Smeltz, Debtor herein, is authorized to sell the real property located in Upper Paxton Township in Dauphin County and known as Dauphin County Tax Mapping Parcel No. 65-030-012 (the "Property"). Such sale shall be under the terms of and pursuant to an Agreement between the Debtor, as Seller, and Billy Jo Tonoff, as Buyer, (the "Agreement"), and as set forth in the Motion. Such sale shall be to Billy Jo Tonoff for the total consideration of \$50,000.00.

2. The sale of the Property shall be free and clear of all liens, claims and encumbrances, except for easements and rights of way of record as may exist upon or under such Property. All liens will attach to the proceeds in the order of their priority

subject to the distribution set forth in this Order.

3. The sale shall be free and clear of all real estate taxes and such other allowed claims, subject to the distribution set forth in this Order and payments of such real estate taxes.

4. The distribution of the funds generated by the sale of the Property shall be as follows:

- i. Any notarization or incidental recording fees required to be paid by the Debtor as Seller;
- ii. Any costs associated with the preparation of the deed or normal services with respect to closing;
- iii. Attorney's fees in an amount of \$3,500.00 payable to John M. Hyams, on account of services in connection with this sale;
- iv. Realty transfer tax, if any, required to be paid by Debtor, as Seller;
- v. Any real estate taxes owed on the Property, prorated to the date of sale.
- vi. Payment to the Dauphin County Tax Claim Bureau, of any Real Estate and School taxes owed by Debtor; and
- vii. All remaining net proceeds to Charles J. Dehart III to distribute in accordance with a confirmed Chapter 13 Plan.

5. The Debtor is empowered and ordered to execute any and all documents necessary to effectuate the sale of the Property.

6. Fed.R.Bankr. P Rule 6004(h) is not applicable, and the Property may be sold and purchased promptly.

7. Upon payment of the appropriate fee, the Clerk's Office shall provide the Debtor with certified copies of this Order, as are necessary to be recorded in the Office of the Recorder of Deeds of Dauphin County, Pennsylvania.

Dated: November 20, 2018

By the Court,



Robert N. Opel, II, Chief Bankruptcy Judge ^(BI)